

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA, EASTERN DIVISION**

In re:
Johnny Batchelor
Debtor(s)

Case No. 14-41766-JJR13
Chapter 13

AP No. 15-40004-JJR

Johnny Batchelor
Plaintiff(s)

vs.
MRM Marketing, Inc
et al.
Defendant(s)

SUMMONS IN AN ADVERSARY PROCEEDING

TO THE ABOVE-NAMED DEFENDANT(S), YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the Clerk of the Bankruptcy Court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days. Your motion or answer must be filed electronically with the Clerk of Court via CM/ECF. If your attorney is not yet registered to file pleadings through CM/ECF or if you are not represented by an attorney, you may file your answer or motion, in accordance with Administrative Order 04-01, with the Clerk of Court at the following address:

Address of Clerk:	United States Bankruptcy Court 1129 Noble Street, Room 117 Anniston, AL 36201
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At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney:	Jonathan G Carpenter Campbell & Campbell, PC P.O. Box 756 Talladega, AL 35161
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If you make a motion, your time to answer is governed by Bankruptcy Rule 7012.

YOU ARE NOTIFIED, that pursuant to Fed. R. Bankr. P. 7026(f), the parties are required to confer (in person or by telephone) to consider the nature and basis of their claims and defenses, and the possibilities for a prompt settlement or resolution of the case, to make or arrange for the disclosures required by Fed. R. Bankr. P. 7026(a)(1), and to develop a proposed discovery plan that indicates the parties' views and proposals concerning those matters described in Fed. R. Bankr. P. 7026(f)(1)-(4). After their conference, the parties are required to submit to the Court a written report outlining their discovery plan.

A scheduling conference with the Court's participation pursuant to Fed. R. Bankr. P. 7016(b) **WILL NOT** be held unless requested by a party or otherwise required by the Court. Following receipt of the parties' discovery plan, the Court will issue a Scheduling Order pursuant to Fed. R. Bankr. P. 7016(b). To assist the parties in their preparation of a discovery plan, a form that may be used to prepare the Report of Parties' Planning Meeting ("Parties' Report") can be found on the Court's website (www.alnb.uscourts.gov) under "Forms." The parties should fill in the information needed to complete the Parties' Report; this information will be considered by the Court in drafting the Scheduling Order.

Although all parties and their counsel are equally responsible for making sure their required conference is timely held pursuant to Fed. R. Bankr. P. 7026(f) and completing the Parties' Report, the plaintiff is responsible for initiating the conference, recording the information needed to complete the Parties' Report, and submitting it to Court as provided below. To assure timely compliance with Fed. R. Bankr. P. 7016(b), the parties' conference must

be held no later than **60 days** after the first defendant is served with the complaint.

No later than **14 days** after the conference, the Parties' Report and all other information submitted by the parties as their written report pursuant to Fed. R. Bankr. P. 7026(f), must be filed electronically in the Adversary Proceeding with the Clerk of the Court via CM/ECF, and a copy sent electronically in Word or WordPerfect format to the Court's e-orders box (ordersjjr@alnb.uscourts.gov). If additional parties are joined or served after the parties' conference, the Court will favorably consider a timely motion by any party for an additional conference and leave to reasonably amend the Parties' Report.

If a party is having trouble getting the opposing party to cooperate holding a planning conference, such party may file a unilateral Parties' Report signed only by one party, as long as the Parties' Report is accompanied by a letter stating why it only contains one signature. **Failure to hold the conference and submit a completed Parties' Report by the above deadlines will result in automatic dismissal of this adversary proceeding.** Thus, if additional time is needed to complete the Parties' Report, a motion to extend time should be filed in CM/ECF.

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Dated: February 11, 2015

Scott W. Ford, Clerk
United States Bankruptcy Court

By: /s/ Sheatha Gibson

CERTIFICATE OF SERVICE

I, _____, certify that I am, and at all times during the service of process was,

(name)

not less than 18 years of age and not a party to the matter concerning which service of process was made.

I further certify that the summons and a copy of the complaint were served on _____ by:

(date)

- ☐ Mail Service: Regular, first class United States mail, postage fully pre-paid, addressed to:
- ☐ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:
- ☐ Residence Service: By leaving the process with the following adult at:
- ☐ Publication: The defendant was served as follows: [Describe briefly]
- ☐ State Law: The defendant was served pursuant to the laws of the State of _____, as follows: [Describe briefly] (name of state)
- ☐ Certified Mail: Certified mail to an officer of insured depository institution addressed as follows:

Under penalty of perjury, I declare that the foregoing is true and correct.

Date

Signature

Print Name		
Business Address		
City	State	Zip